

JP

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

15

KEVIN T. ROGERS,  
Plaintiff

v

NANCY A. BERRYHILL,  
Acting Commissioner of the  
Social Security Administration,  
Defendant

CIVIL ACTION

No. 18-50

FILED

FEB 26 2019

KATE BATHAM, Clerk  
By [Signature] Dep. Clerk

ORDER

AND NOW, this 26<sup>th</sup> day of Feb., 2019, upon review of the Report and

Recommendation of Carol Sandra Moore Wells, United States Magistrate Judge, it is hereby

**ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. Plaintiff's Request for Review is **GRANTED**.
3. This case is **REMANDED** to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge shall (1) reconsider the weight to be accorded the opinions of Dr. Alcera and therapist Gaines and Dr. Banks and, if necessary, obtain an updated opinion from a State agency consultant based on the entire medical record; (2) reconsider whether Plaintiff satisfies the criteria for Listing of Impairments 12.03, 12.04 and/or 12.06; and (3) if necessary, formulate a new mental health RFC assessment and submit those restrictions to a vocational expert.

BY THE COURT:

[Signature]  
John R. Padova, J.

ENT'D FEB 26 2019